

REMARKS

The applicants thank the Examiner for the indication that claims 8-11 have been allowed, and the indication that claims 6 and 7 are drawn to allowable subject matter.

The applicants are of the position that all claims are in *prima facie* condition for allowance, and requests reconsideration and allowance at the earliest possible date.

Claims 1-3, 5, 12 and 14 have been rejected as being anticipated by U.S. Patent 6,085,076 to Lindsay. This rejection is traversed.

The Examiner should note that the invention to Lindsay and the present invention represent two DIFFERENT approaches to achieve better communication over a noisy wireless medium. The present invention cannot be anticipated by Lindsay because Lindsay do not disclose or suggest a frequency hopping wireless communication as described and claimed in the present application.

Lindsay is directed to selection of antennas only. In contrast, the present invention addresses the issue of slave (user station) selection, and also the size of the packet to be transmitted. In the present invention, the sequence of communications with slaves and the amount of information communicated through selection of slot size are chosen in order to avoid the effects of interference.

In Lindsay, the antenna selection scheme applies to multiple access with TDD or TDMA, and frequency hopping is not involved. In contrast, in the present invention, FDMA with frequency hopping is a requirement to preform frequency look ahead and slave/slot-size selection. The reference to FDMA in column 34 of Lindsay does not satisfy or make obvious the claimed invention, because this passage makes clear that an antenna is being selected for transmitting or receiving (see column 34, line 13).

In Lindsay, counters are used to record the time (see column 24, lines 63-67). In contrast, in the present invention, counters are used to record the success or failure

of communication over the various frequencies.

In short, the invention uses components differently to achieve different results from that in Lindsay. Thus, they are not functionally equivalent as suggested by the Examiner. In addition, Lindsay lacks the first and second frequency selection units that perform the look ahead at frequencies to be used in future time slots. The passages referred to by the Examiner are not equivalent; rather, they describe selection of an antenna for reception (see column 5 lines 49-50 and column 34, lines 13-15).

In view of the above, reconsideration and allowance of claims 1-3, 5-12, and 14 at an early date is requested.

Respectfully submitted,



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